



BUREAU OF AUTOMOTIVE REPAIR

BAR Advisory Group Meeting

Contractor's State Licensing Board, Sacramento, CA

Monday, July 10, 2006



MEETING NOTES

♦ Advisory Group Members in Attendance:

Lou Anapolsky
Dennis DeCota
Brian Moss

Jack Molodanof
Shelly Nolder
Rosemary Shahan

Chris Walker
Randall Ward

♦ BAR Staff in Attendance:

Richard Ross
Dennis Kenneally
Michael Vanderlaan
James Goldstene

Dick Sullivan
Michael Lafferty
Ernie Rice

Debbie Romani
Kate McGuire
Judy Cabral

1. Welcoming Remarks and Introductions – Richard Ross, BAR Chief

BAR Chief Richard Ross called the meeting to order at 9:40 a.m. Advisory Group members and BAR staff introduced themselves.

Chief Ross explained that Advisory Group meetings would be held six times a year. The locations will vary in order to accommodate more of the industry. The next meeting will be held September 12 at the Red Lion Hanalei Hotel, 2270 Hotel Circle North, San Diego, California from 6:00 p.m. to 9:30 p.m.

2. Presentation on the State Implementation Program (SIP) – Cynthia Marvin, Asst. Division Chief of Planning and Technical Support Division of California Air Resources Board (ARB).

Cynthia Marvin's presentation posed answers to two questions: 1) Why Smog Check? and 2) What is the SIP?

Why Smog Check?

- Protect public health
 - Current levels of particle and ozone pollution contribute to approximately 7,000 pre-mature deaths each year.
- Comply with federal and State law
 - U.S. EPA sets air quality standards and identifies "nonattainment" areas.
 - States prepare regional plans to achieve those standards by specified deadlines.
- Avoid legal and economic penalties
 - Penalties are assessed for noncompliance.

What is the SIP?

- The SIP creates an enforceable commitment to adopt and implement new controls to meet targets.
 - The control strategy depends on many agencies (i.e. U.S. EPA, local air districts, transportation agencies, State.) If the SIP is not being met, commitments can be mandated.

Ms. Marvin continued her presentation with details on the following:

- Affect of SIP Approval by US EPA
- Smog Check Commitments in California's SIP
- California's Major SIPs
- Key Smog Check SIP Milestones
- Smog Check SIP Commitments
- Current SIP Focus
- More Emission Reductions
- Smog Check Concepts

(PowerPoint presentation is available upon request.)

3. BAR Outreach Update of Dates and Locations – Gill DeLuna, BAR Outreach Manager

Mr. DeLuna reported the Outreach Team is working on:

- Increasing the outreach effort to industry and community based organizations
- Updating the Smog check brochure to be completed by the end of the summer
- Providing media and diversity training to BAR staff
- Completing a Statewide Consumer survey
- Creating a Write-It-Right DVD
- Providing a link from the Calendar of Events on the Department of Consumer Affairs (DCA) website to the BAR website
- Preparing for the CA State Fair and multiple county fairs throughout California

4. Legislation/Regulation Update – James Goldstene, BAR Deputy Chief of Consumer Assistance and Administration Division

A. Mr. Goldstene provided updates on the following Pending Legislation:

- AB 226 (Bermudez) – Would make funds in the Automotive Career and Technical Education Account (ACTEA) available to BAR for reimbursements to public secondary educational institutions or community colleges, and to ROCPs under specified circumstances, for funds expended for automotive technology education.
- AB 1870 (Lieber) – Would add visible smoke as reason to fail smog check and allow up to \$1,500 in repair assistance if vehicle fails for smoke and owner is income eligible.
- AB 303 (Calderon) – Changes the definition of customer for the purpose of auto body repair.
- AB 1997 (Arambula) – Would require ARB to develop and the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) to administer a voluntary program to remove high polluter vehicles within the SJVAPCD by replacing them with donated vehicles that meet smog check regulations.
- AB 2788 (Arambula) – Would revise the method of calculation of light-duty vehicle mobile source emission reduction credits for ARB's Voluntary Accelerated Vehicle Retirement (VAVR) program in the SJVAPCD.
- AB 578 (Horton) – On Hold. Would allow certain Test and Repair stations to do initial tests on directed vehicles.
- AB 386 (Lieber) – Would allow ARB, in consultation with DCA, to develop, and revise as necessary, the program goals, program design and program funding to implement the Smog Check Program.
- AB 2996 (Levine) – Would require each retailer of brake pads to collect a \$1 fee from the purchase of a set of new brake pads and to transmit all fee revenue to the State Board of

Equalization. Upon authorization, would expend the moneys to prevent, reduce, remediate, or mitigate the adverse environmental impacts of automobile brake pads.

- SB 1492 (Speier) – Would require DOI to establish a Rapid Dispute Resolution program.

B. Revision and Clarification of Brake and Lamp Inspection and Certification Procedures; Incorporation of lamp and Brake Manuals by Reference – Public comment period closed 06/02/06. Public comments are being reviewed and analyzed.

Invoice Requirements; Individual Pricing of Parts and Labor – Public comment period closed 05/12/06. **Public comments are being reviewed and analyzed.**

Consumer Assistance Program: Low-Income Eligibility (AB-383, Montanez, Ch. 565, stats. of 2005) and CAP Application Revisions (increase to 225% Federal Poverty Guidelines) – Public comment period closed 06/16/06. **Final Statement of Reasons and Rulemaking file submitted to DCA for review and approval to file with Office of Administrative Law.**

5. Consumer Assistance Program (CAP) Update – James Goldstene

Mr. Goldstene reported that CAP has repaired approximately 35,000 vehicles and retired 15,537 vehicles in the 2005-2006 fiscal year

The new budget for the 2006-2007 fiscal year will enable CAP to repair close to 40,000 vehicles and retire nearly 19,000 vehicles.

6. Licensing Update – James Goldstene

Applications received clean (no omissions) are currently being processed within two to three days.

The Licensing Unit is working to better communicate to the applicant proper completion of the application form.

7. Smog Technician Advisory Update – George Adelsperger, BAR Smog Check Technical Services Branch

In George Adelsperger's absence, Deputy Chief Michael Vanderlaan reported the following:

Instructor training for the 2007 BAR Update Training Course has been proceeding well. With four classes being completed, nearly 180 out of the 297 certified instructors have been trained. Materials for the 12-hour update class have been prepared and are being refined through instructor input. The 12-hour courses will begin in the Fall and continue the next two years for Smog Check technicians who are seeking licensing renewals. A 12-15 minute video is being developed for the course and should be available in mid-November.

Every five years DCA Office of Examination Resources conducts an Occupational Analysis to determine work emphasis and skill levels required for Smog Check technicians. This analysis is complete and will be used to assess and revise examination questions for initial EA, Advanced Emission Specialist Technician (enhanced area technician) and EB, Basic Area Technician licensee applicants.

An extension of the current contract for referee services is in the process.

8. Smog Check Program Discussion – Richard Ross, BAR Chief

Chief Ross stated the number of complaints received by BAR is lower than in previous years. He believes a large part of this drop is due to the quality of interest taken by industry.

The Chief reported the Next Generation Electronic Transmission (NGET) system has been successfully implemented. He asked Deputy Chief Michael Vanderlaan to provide NGET highlights.

- Mr. Vanderlaan explained the NGET project has been ongoing for the last two years and had an original implementation date of September 2005. There was a successful implementation of the transition of analyzers from MCI to the SGS Testcom System.
- This project is the first time ever that a de-centralized hybrid program has been converted to a new electronic transmission system. This project required the conversion of 150 million vehicle inspection records. The 8,500 stations were converted in specified groups on a daily basis.
- During the last 15 months, independent oversight contractors have been providing BAR with feed back on the progress of the project.
- The business portion of the project will be in phases over the next year.

Chief Ross provided an update on the development of the Low Pressure Fuel Evaporative Emission (LPFE) testing inspection requirements as follows: The model years 1995 to 1976 are the affected fleet. Numerous issues were raised concerning the equipment, reliability, research standards, etc. Industry concerns were that this model year group is significantly affected by the state's directed vehicle program. Testing of these model years presently occurs primarily at Test Only stations. This creates little incentive for the majority of smog stations, which are Test and Repair to have an interest in the testing aspect of the program. The hesitancy of Test and Repair industry support who make the repairs and that potential impact on consumer access and acceptance of the evaporative testing are a concern. BAR's objective is to have industry support and consumer acceptance. These are essential in California where private industry implements the smog check program and mass consumer compliance is essential. Workshops are likely again as options are developed.

Chief Ross reminded everyone they don't have to wait for BAG Meetings to bring concerns to the attention of BAR.

9. Ombudsman Report – Rick Fong, BAR Ombudsman

Chief Ross stated that Rick Fong would not be available for his report due to a family emergency.

10. Field representative Training Update – Ernie Rice, BAR Technical Training

Mr. Rice explained he came to BAR as the supervisor of the Training Unit in 1990. In order to keep up with technology changes, the Technical Training Unit was established in 1998.

The BAR has two Training Unit locations. One unit is located in Sacramento and has five trainers; the other is located in Anaheim and has three trainers. These units provide three categories of training to BAR Program Representatives: Training within the first year of service, Periodic Update/Refresher Training, and Elective/Duty-specific Training.

Training within the first year of BAR service includes:

- Program Representative Training
- Regulatory Investigative Techniques
- Laws and Regulations
- Report Writing
- Computer Skills
- Interpersonal Communication Skills

Periodic Update/Refresher Training includes:

- General Engine Performance and Emission Update
- Policy and Procedure Update Training
- Court Preparation and Testimony
- Monthly in-house CD/Video Based Automotive Technology Update Training

Elective/Duty-specific Training includes:

- Automotive Mechanical Technology
- Fuel/Ignition/Emission Control Technology
- Investigation and Job Skills Training
- Autobody Technology

Mr. Rice provided statistics on student training hours over the last five years. He further stated that he is always looking for new training. He concluded with the following future areas of training:

- CAN Systems
- Multiplexed System Data Analysis
- ICAR Update Training
- Hybrid Technologies
- Evap. System Diagnosis and Repair

(PowerPoint presentation is available upon request.)

11. General Public Comments

The following were requested as suggested future agenda items:

- Data on Gold Shield compliance rates
- Fraud rates of Gold Shield Stations (Example: Vehicle failed at Test Only, repaired someplace, then re-tested at a Gold Shield station and certified)

12. Meeting Adjourned at 1:45 p.m.